



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652



Special Recreation Permit New Application or Modification to Existing Permit Requirements for the BLM-Colorado River Valley Field Office 2012

BLM welcomes ideas by entrepreneurs and organizers for services needed by visitors. Modifications or new applications must be received by the following deadlines:

Commercial Permit Renewals or New Applications:

- August 31: Permit Requirements due from new applicants and renewing permit holders for spring/summer/all year activities for the following year.
- March 1: Permit Requirements due from new applicants and renewing permit holders for fall/winter activities.

Events, Organized Groups and Vendor Permit Renewals or New Applications:

- 180 days prior to use date: Permit Requirements due from new applicants and renewing permit holders.

Uses Requiring a Special Recreation Permit (SRP)

1. A Commercial Permit is required when anyone intends to use public lands and related waterways, on a recreational basis, for business or financial gain. If any of the following conditions are met, a commercial permit is required.

When any person, group or organization makes or attempts to make a profit, receive money, amortize equipment or obtain goods or services as compensation from participants in recreational activities occurring on public lands, the use is considered commercial.

An activity, service or use is commercial if anyone collects a fee or receives other compensation that is not strictly a sharing of, or is in excess of, actual expenses incurred for the purposes of the activity, service or use.

Commercial use may also be characterized by public advertising for participants or situations where a duty of care or expectations of safety is owed participants by service providers as a result of compensation.

Use by scientific, education, and therapeutic institutions or non-profit organizations is considered commercial when the above criteria are met and subject to a permit when the above conditions exist. Non-profit status of any group or organization does not, in itself, determine whether an event or activity arranged by such a group or organization is non-commercial. Profit-making organizations are automatically classified as commercial, even if that part of their activity covered by the permit is not profit making (BLM Handbook H-2930-1).

Non-profit organizations engaged in fundraising activities are commercial in nature. Fundraising events require a permit and will be subject to fees.

Advertising and product promotion are inherent to business activities and when conducted on BLM public lands, require a permit and will be subject to fees (e.g., demonstration of recreation equipment; mountain bikes, 4-wheel drive vehicles, GPS receivers, etc.).

2. A Competitive Permit means any organized, sanctioned or structured use, event or activity on public land in which two or more contestants compete and any of the following elements apply:

Participants register, enter or complete an application for the event; or

A predetermined course or area is designated; or

One or more individuals contesting an established record such as speed or endurance.

3. Special Area Use: Permits may be required for individual (private, non-commercial) recreation use in Special Areas. Special Areas are areas officially designated by statute or Secretarial order including: components of the National Trails System, the National Wild and Scenic Rivers System, the National Wilderness System, National Conservation Areas and Monuments or National Recreation Areas.

4. Organized Group Activity and Event Use: Organized group/event permits are for group outdoor recreation activities or events which are neither commercial nor competitive activities. The authorized officer, in accordance with this policy, determines when a permit is required based on planning decisions, resource concerns, user conflicts, public health and safety, and/or the need for monitoring.

When Permit Requirements May Be Waived

The authorized officer may waive the requirement for a permit if:

BLM sponsors or co-sponsors the event or use;

The use or event begins and ends on non-public lands and does not cross more than 1 mile of BLM land or related waters;

The use is competitive but is not commercial, is not publicly advertised, does not award cash prizes, requires no additional monitoring, and does not pose an appreciable risk to public lands; or

The use is an organized group activity that is not commercial, is not publicly advertised, poses no appreciable risk to public lands, and requires no specific management or monitoring.

All commercial, competitive, special area use and organized group activity, as well as event use on BLM Public Lands, meeting the above criteria, must be authorized by a SRP before any activity occurs. SRPs are issued at the discretion of the authorized officer who may, at any time and without prior notice, choose not to issue permits for certain activities or use areas. Such decisions could be based on a variety of factors such as planning decisions, potential resource impacts, existing outfitters in the same area, overcrowding, past poor performance, climatic conditions, and others.

How to Apply

Initially, the interested party needs to contact the Colorado River Valley Field Office to discuss their proposal with the authorized officer. After the discussion, if the interested party would like to apply, they must submit the following requirements: (Submission of the following requirements without a pre-application meeting with the authorized officer will not be accepted and will automatically be denied.)

- Application Form (Need original mailed to CRVFO with signature.)
- Operating Plan (Need original mailed to CRVFO with signature.)
- Maps, including all staging and camping locations, and starting and ending locations.
- Signed copy of SRP Terms, Conditions and Stipulations (Need original mailed to CRVFO with signature.)

- If for an event or OHV activities, signed copy of SRP Stipulations for Competitive Events or OHV Activities (Need original mailed to CRVFO with signature.)
- \$100.00 permit application fee
- A Business Plan: A detailed business plan provides the BLM a basis to evaluate the proposal and effectively determine whether the proposal is consistent with management objectives. The BLM expects a detailed plan that addresses the following:
 - A description of the business: include the products and services that you will offer and your knowledge of the industry
 - A geographic analysis: include a discussion of the advantages and disadvantages of the location where you are proposing your business, and what your approach will be to overcome any problems posed by the location (include any privately owned or leased lands)
 - A market analysis: describe your anticipated market (age, hobbies, income, local, regional, national, international, etc.), describe the size of the current market and potential for growth in demand, and discuss your advertising strategy (how, when and where)
 - A competitive analysis: identify 3 or 4 of your competitors, discuss their strengths and weaknesses, discuss why you will be able to compete and capture a share of the supply side of the market. Evaluate and appraise if existing permittees are providing the service in the proposed area or region, not completely serving the current demand, and are going to be significantly impacted by the transferred use.
 - Benefits to public lands recreation: identify how your proposal enhances the opportunity for visitors to enjoy public lands and helps the BLM meet recreation management objectives. Establish that a “need” exists for the service and the proposed use area is suitable for the proposed activity. Purpose and need statement of why new permittee needs this new permit or permit change and how this will benefit the public.

Once these requirements are received, the BLM will process the request and respond within 180 days. If the application is approved, the following items will be required before the permit is issued. The authorized officer may ask for additional requirements such as:

- Copy of any applicable state, county or city licenses, permits or registrations
- Proof of Insurance
- Copy of brochure and/or other advertisements with current costs
- Signed copy of Additional Special Stipulations
- Estimated Use Fee payments

Application Criteria

The following criteria will be used by the Bureau of Land Management, Colorado River Valley Field Office, to evaluate permit applications or amend existing Special Recreation Permits. These criteria offer an unbiased framework for Special Recreation Permit (SRP) application evaluation. Applications that best comply with the acceptance criteria will be accepted (possibly with modifications) by the authorized officer.

Compliance History

Applicant must be in compliance, and have a history of compliance, with local, state and federal regulations. Applicant or authorized representatives have not been convicted of a federal, state, or local violation in connection with the proposed operations or activities within the last three years.

Safety and Safety History

Applicant has demonstrated a history of providing a reasonable level of safety for clients.

Consistency with Land Use Planning documents

Permittee assistance can insure management objectives are met for BLM Land Use Plans. Proposals will be evaluated for consistency with current planning documents, including but not limited to the Glenwood Springs Field Office Resource Management Plan.

Conflicts

Applications and amendments will not be accepted in areas where valid conflicts currently exist between existing permittee, or between permittees and the public or landowners. Valid conflicts include:

- Camps; location, number and distance between camps
- Types of activities permitted
- Use levels during specific time periods
- Enforcement/compliance problems exist
- Improper conduct by permittee or employees
- Unacceptable resource impacts
- Overlapping use areas

Diversity of Services

Applicants must demonstrate that their proposal; enhances the diversity of recreational opportunities available for visitors and the services are required by the public.

Low Percentage of BLM Public Lands

Applications will be refused where public lands comprise a low percentage of the total area and recreational management goals are being met.

Adjoining Lands and Joints Permits

The area should include blocks of public land which are large enough to accommodate the various guided and non-guided activities without relying on adjacent private, leased or state lands. Preference will not be given to applicants who own or lease private land adjacent to BLM public lands. Preference will not be given permittees that have a joint permit issued by another land management agency office.

BLM Workload Priorities

Although the SRP program is always a high priority for BLM, there may be times when other pressing agency work will temporarily supersede the usual SRP review/approval workflow. Sometimes the proposed SRP activity may necessitate extensive or time consuming resource impact analysis and clearance. In these cases delays in processing SRPs are likely. BLM will notify applicants when delays occur.

The criteria are a means to analyze applicants and offset potential problems. Many complex issues are best addressed through an on-going effort between the permittees and the BLM. The criteria do not set explicit use levels or carrying capacities.

Cost Recovery

If more than 50 hours of staff time is required for processing and administering a permit, cost recovery of direct expenses related to the permit will be charged. If the 50-hour cost recovery threshold is anticipated to be exceeded then recovery of costs begin with the first hour. When cost recovery is necessary, the authorized officer shall notify the applicant of potential charges in writing within 30 days of the receipt of the application.